

ASSEMBLY BILL

No. 1390

**Introduced by Committee on Agriculture (Eggman (Chair), Olsen
(Vice Chair), Dahle, Quirk, and Yamada)**

March 4, 2013

An act to amend Section 34008 of the Food and Agricultural Code,
relating to milk products.

LEGISLATIVE COUNSEL'S DIGEST

AB 1390, as introduced, Committee on Agriculture. Milk products:
pasteurization: goat milk.

Existing law requires that all market milk and market milk products,
and all milk for manufacturing purposes and manufactured milk
products, be pasteurized at the plant where those products are processed
and packaged. This provision does not apply to certain products,
including licensed milk products plants that are used exclusively for
the preparation of ice cream and other, specified milk products.

This bill would additionally exempt from the above provision licensed
milk production plants that produce goat milk products on their premises
from goat milk products pasteurized offsite, provided the products are
produced, pasteurized, ultrapasteurized, aseptically processed,
concentrated, condensed, or dried in accordance with specified
provisions. The bill would also make a technical change by deleting an
obsolete provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 34008 of the Food and Agricultural Code is amended to read:

34008. (a) All market milk and market milk products, and all milk for manufacturing purposes and manufactured milk products, shall be pasteurized at the plant where processed and packaged unless otherwise provided in this division.

(b) This section does not apply to any of the following:

(1) Licensed milk products plants that are used exclusively for the preparation of ice cream or ice milk that is manufactured on the premises from ice cream mix, ice milk mix, or premix that is supplied by a licensed milk products plant.

(2) Products sold through soft-serve establishments, including frozen yogurts and frozen dairy desserts.

(3) *Licensed milk production plants that produce goat milk products on their premises from goat milk products pasteurized offsite, provided these products are produced, pasteurized, ultrapasteurized, aseptically processed, concentrated, condensed, or dried under regulations that are substantially equivalent to those set forth in Section 34001 or 34001.5, and the plants are registered in accordance with the federal FDA Food Safety Modernization Act (Public Law 111-353).*

(c) The ~~director~~ secretary may, by regulation, provide for additional exemptions from this section.

~~(d) Upon a person demonstrating that immediate compliance with this section would cause undue economic hardship, the director may grant to that person an extension until July 1, 1988, to comply with this section.~~